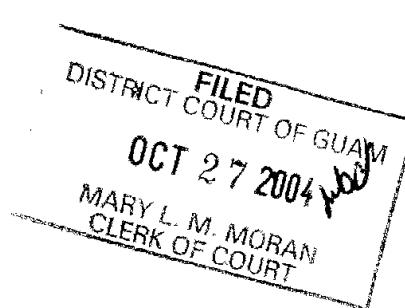


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Attorneys for Plaintiffs Jay Merrill,
on his own behalf and on behalf of all other
similarly situated voters desirous of casting a
vote in favor of Proposal A at a fair and legal election



IN THE DISTRICT COURT

OF GUAM

JAY MERRILL, on his own behalf and on) CIVIL CASE NO. CIV04-00046
behalf of all other similarly situated voters)
desirous of casting a vote in favor of)
Proposal A at a fair and legal election,)
)
Plaintiffs,)
)
vs.) **NOTICE OF DISMISSAL WITHOUT**
THE GUAM ELECTION COMMISSION;) **PREJUDICE AS TO GERALD A.**
GERALD A. TAITANO, in his individual) **TAITANO, IN HIS INDIVIDUAL**
capacity and in his capacity as the) **CAPACITY ONLY**
Executive Director of THE GUAM) [Fed.R.Civ.P. 41(a)(1)(i)]
ELECTION COMMISSION, I MINA')
BENTE SIITE NA LIHESLATURAN)
GUAHAN (The 27th Guam Legislature);)
FELIX P. CAMACHO, in his official)
capacity as the GOVERNOR OF GUAM.)
)
Defendants.)
)

Plaintiffs hereby dismiss their claims against Defendant Gerald A. Taitano in his individual capacity only, without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(i).

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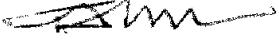
ORIGINAL

**Notice of Dismissal Without Prejudice as to Gerald A. Taitano,
In His Individual Capacity Only [Fed.R.Civ.P. 41(a)(1)(i)]**
Merrill v. the Guam Election Commission, et al.
CIVIL CASE NO. CIV04-00046
Page 2

This notice of dismissal shall not affect Plaintiffs' claims against any other named defendant in any capacity.

DOOLEY ROBERTS & FOWLER LLP

Dated: October 27, 2004

By: 

THOMAS L. ROBERTS

Attorneys for Plaintiffs Jay Merrill and on his own behalf and on behalf of all other similarly situated voters desirous of casting a vote in favor of Proposal A at a fair and legal election